

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN RAFAEL LAPONTE,

Plaintiff,

v.

GAVIN NEWSOM, ROB RONTA, K.R.
ZUETEL, JENNIFER SHAFFER, JAMES
L. LANDRUM, SR.,

Defendants.

Case No. 1:24-cv-01222-HBK (PC)

ORDER TRANSFERRING CASE TO
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA
AND CLOSING CASE IN FRESNO
DIVISION

(Doc. No. 7)

Plaintiff John Rafael Laponte, a state prisoner, initiated this pro se action in the Northern District of California by filing a civil rights complaint under 42 U.S.C. § 1983 while incarcerated at Correctional Training Facility, Soledad, California. (Doc. No. 7). Because the Complaint alleges claims against the Governor of California and other high-level California state officials regarding the enactment and enforcement of legislation, the Northern District transferred this case to this Court in the Eastern District of California. (Doc. No. 20). Venue for this action, however, properly lies in the Sacramento Division of this Court. *See* 28 U.S.C. §§ 1391(b); *see also* *Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action). Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the correct division. The Court finds it in the interests of justice to transfer this case to the

1 Sacramento Division under 28 U.S.C. § 1406(a) and Local Rule 120(f).

2 Accordingly, it is **ORDERED**:

3 1. The Clerk of Court is directed to transfer this action to the Sacramento Division of
4 this Court and close the case in this division..

5 2. All future filings shall refer to the new Sacramento case number assigned and shall
6 be filed at:

7 United States District Court
8 Eastern District of California
501 "I" Street, Suite 4-200
9 Sacramento, CA 95814

10 3. This court defers ruling on plaintiff's request to proceed *in forma pauperis* (Doc.
11 No. 6) to the transferee court.

12
13 Dated: October 15, 2024


14 HELENA M. BARCH-KUCHTA
15 UNITED STATES MAGISTRATE JUDGE

16
17
18
19
20
21
22
23
24
25
26
27
28